

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN)
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This document relates to:

*BNY Mellon, et al. v. Islamic Republic of Iran*, No. 1:19-cv-11767 (GBD) (SN)  
*Deborah Bodner, et al. v. Islamic Republic of Iran*, No. 1:19-cv-11776 (GBD) (SN)  
*August Bernaerts, et al. v. Islamic Republic of Iran*, No. 1:19-cv-11865 (GBD) (SN)  
*Ber Barry Aron, et al. v. Islamic Republic of Iran*, No. 1:20-cv-09376 (GBD) (SN)  
*Jeanmarie Hargrave, et al. v. Islamic Republic of Iran*, No. 1:20-cv-09387 (GBD) (SN)  
*Paul Asaro, et al. v. Islamic Republic of Iran*, No. 1:20-cv-10460 (GBD) (SN)  
*Michael Bianco, et al. v. Islamic Republic of Iran*, No. 1:20-cv-10902 (GBD) (SN)

**PLAINTIFFS' NOTICE OF MOTION FOR JUDGMENTS BY DEFAULT FOR ALL  
PLAINTIFFS AGAINST DEFENDANT AS TO LIABILITY AND FOR PARTIAL FINAL  
JUDGMENTS FOR DAMAGES ON BEHALF OF THE PLAINTIFFS IDENTIFIED IN  
EXHIBITS A**

PLEASE TAKE NOTICE that upon the supporting Memorandum of Law and the Declaration of Jerry S. Goldman, Esq. with the exhibits appended and tendered pursuant to the August 23, 2021 Order, ECF No. 7067,<sup>1</sup> pertaining to sealed exhibits relating to damages (“Goldman Declaration”), all of the Plaintiffs in the above-captioned actions, by and through their counsel, Anderson Kill, P.C., respectfully move the Court for an ORDER granting Plaintiffs’ motion for entry of default judgment against the Defendant Islamic Republic of Iran (“Iran”) as to liability; AND

PLEASE TAKE FURTHER NOTICE that upon the supporting Memorandum of Law and the Goldman Declaration, all of the Plaintiffs in the above-captioned actions, by and through their counsel, Anderson Kill, P.C., respectfully move the Court for an ORDER determining that service of process was properly effected upon Iran in accordance with 28 U.S.C. § 1608(a) for

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<sup>1</sup> All ECF numbers are to the MDL docket unless stated otherwise.

sovereign defendants and 28 U.S.C. § 1608(b) for agencies and instrumentalities of sovereign defendants; AND

PLEASE TAKE FURTHER NOTICE that upon the supporting Memorandum of Law and the Goldman Declaration, certain of the plaintiffs in the above-captioned matters who are identified in annexed Exhibits A-1 to A-7 (collectively, “Exhibits A”) to the Goldman Declaration, by and through their counsel, Anderson Kill, P.C., respectfully move this Court for an ORDER:

1. awarding the Plaintiffs identified in annexed Exhibits A judgments as to damages in the same amounts previously awarded by this Court to various similarly situated plaintiffs in *Burnett*, *Havlish*, *Ashton*, *Bauer*, *O’Neill*, and other cases; AND,
2. awarding solatium damages to those Plaintiffs identified in Exhibits A in the amounts of \$12,500,000 per spouse, \$8,500,000 per parent, \$8,500,000 per child, and \$4,250,000 per sibling, as set forth in Exhibits A; AND,
3. awarding the Plaintiffs identified in annexed Exhibits A prejudgment interest at the rate of 4.96 percent per annum, compounded annually for the period from September 11, 2001 until the date of the judgment for damages; AND,
4. granting the Plaintiffs identified in annexed Exhibits A permission to seek punitive damages, economic damages, and other appropriate damages, at a later date; AND,

5. granting permission for all other Plaintiffs in these actions not appearing in annexed Exhibits A to submit applications for damages awards in later stages, to the extent such awards have not previously been addressed.

Dated: New York, New York  
November 12, 2021

Respectfully submitted,

/s/ Jerry S. Goldman

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